



## ROTHER DISTRICT COUNCIL

### PEASMARSH PARISH NEIGHBOURHOOD PLAN 2021-2028: DECISION STATEMENT<sup>1</sup>

#### 1. Summary

- 1.1. Following a favourable Referendum result, notice is given that Rother District Council (“the District Council”), at its meeting on 22 April 2024, ‘made’ Peasmarsh Neighbourhood Development Plan 2021-28, meaning the Neighbourhood Plan comes into force with immediate effect. Hence, it forms part of the statutory Development Plan for the area and, as such, is a key policy document in the determination of planning applications for development in Peasmarsh Parish.<sup>2</sup>
- 1.2. The ‘made’ Peasmarsh Parish Neighbourhood Plan can be viewed on the District Council’s website at: [Peasmarsh Neighbourhood Plan – Rother District Council](#). Also available is the Strategic Environmental Assessment Adoption Statement on the same page.

#### 2. Background

- 2.1. Upon application by Peasmarsh Council (“the Parish Council”), as the qualifying body, the District Council designated Peasmarsh Parish as a ‘Neighbourhood Area’, under Part 2 of the Neighbourhood Planning (General) Regulations 2012, on 25 March 2021.
- 2.2. Following Regulation 14 consultation on a draft version, a ‘Submission’ version of the Peasmarsh Neighbourhood Plan was prepared and submitted to the District Council in February 2023. A formal public consultation on the ‘Submission’ version of the Plan in line with the Regulations took place between 17 February to the 31 March 2023. All duly-made representations were forwarded to an independent Examiner, Mr John Slater, who was appointed by the District Council, with the agreement of the Parish Council, to formally review the Neighbourhood Plan, consider whether it met the basic conditions required by legislation<sup>3</sup> and whether it should proceed to referendum.
- 2.3. The examination was undertaken by written representations and a hearing. The hearing was held in September 2023 to discuss certain issues he had identified in the Plan. The Examiner submitted his report in November 2023 and concluded that, subject to certain modifications, the Neighbourhood Plan met the basic conditions as set out in legislation and could therefore proceed to a local Referendum. He also recommended that the referendum area be the designated Neighbourhood Area (Peasmarsh Parish).

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<sup>1</sup> In accordance with regulation 19 of the Neighbourhood Planning (General) Regulations 2012 (as amended)

<sup>2</sup> The development boundary for Peasmarsh in the Neighbourhood Plan supersedes that in the Rother Development and Site Allocations Plan 2019

<sup>3</sup> As set out in Paragraph 8(2) of Schedule 4B of the Town and Country Planning Act 1990 (as amended)

### **3. Decision and Reasons**

- 3.1. With the incorporation of the Examiner's modifications, the District Council agreed that the Neighbourhood Plan met the basic conditions and other requirements and could be put forward for a local Referendum. This was held on 29 February 2024. It posed the question "*Do you want Rother District Council to use the Neighbourhood Plan for Peasmarsch to help it decide planning applications in the neighbourhood area?*" The outcome was that 224 (85%) of the 264 people who voted were in favour of the Plan.
- 3.2. Paragraph 38A(4)(a) of the Planning and Compulsory Purchase Act 2004 (as amended) requires that the District Council must 'make' the Neighbourhood Plan if more than half of those voting have voted in favour of the Plan, unless (under Para. 38A(6)) this would breach or would otherwise be incompatible with an EU obligation or any of the Convention rights (within the meaning of the Human Rights Act 1998).
- 3.3. In line with the outcome of the Referendum and having further considered whether making the Neighbourhood Plan would breach or would otherwise be incompatible with any EU obligation or any of the Convention rights, the District Council resolved, at its meeting on 22 April 2024 that:

*Peasmarsch Parish Neighbourhood Plan 2021-28 be approved and adopted.*

### **4. Availability of documents**

- 4.1. The 'made' Peasmarsch Neighbourhood Plan, Declaration of Referendum results, SEA Adoption Statement and related documents can be viewed on the Council's website at: [Peasmarsch Neighbourhood Plan – Rother District Council](#).
- 4.2. The report to Cabinet in relation to the 'making' of the Neighbourhood Plan can be viewed at: [Agenda Document for Cabinet \(moderngov.co.uk\)](#)
- 4.3. The Full Council minutes are available to view at [Council Minutes \(moderngov.co.uk\)](#)
- 4.4. For further information, please contact the Planning Policy Team by email at: [planning.strategy@rother.gov.uk](mailto:planning.strategy@rother.gov.uk) or by telephone on 01424 787000.

Lorna Ford, Chief Executive  
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**30 April 2024**